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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,499	06/27/2001	Marc Hourdequin	DPAG: 037	8798

7590 07/15/2004

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EXAMINER

NGO, CHUONG D

ART UNIT PAPER NUMBER

2124

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/891,499

Applicant(s)

HOURDEQUIN ET AL.

Examiner

Chuong D Ngo

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/22/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The disclosure is objected to because of the following informalities: the should be a section heading for each section in the disclosure..

Appropriate correction is required.

2. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, the recitation "the operation and/or the shutdown", lines 3-4, is indefinite. The limitation will be read as "the operation or the shutdown".

As per claim 8, it is unclear whether the "sub-assemblies" , line 3, is the device claimed in one of the above claims. Further, "the above claims" should be changed to "claims 1-7". Further, it is indefinite as to what "said elements" and "the different elements", line 6, refer.

As per claim 10, it is unclear as what it means by the recitation "the output from the elements combining in turn ANDing, Oring, or XORing the outputs of the different elements", lines 2-3.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8, are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Buer al. (5,961,577).

Buer discloses in figure (5A) a device for generating a random signal having a transient-state electronic circuit (510) including a series of odd inverting circuits for inverting its input at an output and a feed back loop (-), and means (505,512) in the feedback loop for controlling the operation and/or the shutdown of the circuit to generate a random signal.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Buer al. (5,961,577).

It is noted that Buer does not specifically disclose the device being incorporated into a programmable integrated circuit. However, since Soenen et al. discloses the device a logic

circuit, it would have been an obvious matter of design choice to incorporate the device of Soenen et al. into a programmable integrated circuit as claimed.

7. Claims 1-5 and 7 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Soenen et al. (5,961,577).

Soenen et al. discloses a device for generating a random signal having a transient-state electronic circuit (figure 2) including an series of odd oscillator circuits (30) for inverting its input (-) at an output (+) and looped it back to its input (-), and means (32,34,40) for controlling the operation and/or the shutdown of the circuit to generate a random signal (OUT1).

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soenen et al. (5,961,577).

It is noted that Soenen et al. does not specifically disclose the device being incorporated into a programmable integrated circuit. However, since Soenen et al. discloses the device a logic circuit, it would have been an obvious matter of design choice to incorporate the device of Soenen et al. into a programmable integrated circuit as claimed.

9. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Walsh et al. (6,480,072).

Walsh et al. discloses in figure 2 a device for generating a random signal having a transient-state electronic circuit (102,105) including an oscillator circuit (102) which is a

semiconductor D flip flop and which can also be seen as an inverter for inverting its input at an output Q and looped it back to its input (D), and means (101,107) for controlling the operation and/or the shutdown of the circuit to generate a random signal (110).

10. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Walsh et al. (6,480,072).

It is noted that Walsh et al. does not specifically disclose the device being incorporated into a programmable integrated circuit. However, since Walsh et al. discloses the device a logic circuit, it would have been an obvious matter of design choice to incorporate the device of Walsh et al into a programmable integrated circuit as claimed.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong D Ngo whose telephone number is (703) 305-9764. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (703) 309-9662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chuong D Ngo
Primary Examiner
Art Unit 2124

07-09-04